

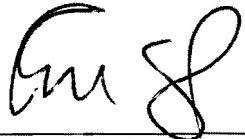
**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Angela Marie Allen,)
)
Plaintiff,) Civil Action No. 4:13-2083-RMG
)
vs.)
)
Carolyn W. Colvin, Commissioner of) **ORDER**
Social Security,)
)
Defendant.)
)
)

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation on December 30, 2014 recommending that the decision of the Commissioner be reversed and remanded to the agency because the Administrative Law Judge ("ALJ") failed to (1) consider the limiting effects of Plaintiff's cancer and treatment based on the erroneous conclusion that the condition lasted less than twelve months; (2) consider adequately recent changes in her back condition and the potential role that her cancer and treatment may have played in exacerbating the back ailments; (3) reconcile the findings of consulting mental status examiner, Dr. Morton, with the ALJ's RFC; and (4) meet the requirements of SSR 96-7P in addressing the issue of Plaintiff's failure to pursue further medical treatment for certain conditions. (Dkt. No. 30 at 14-21). The Commissioner has filed a response

to the Magistrate Judge's Report and Recommendation indicating that she will file no objections. (Dkt. No. 32). The Court has reviewed the Report and Recommendation and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

Charleston, South Carolina
January 8, 2015